

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

TROY COULSTON,)	
)	
Plaintiff,)	Civil Action No. 14-112 J
)	
v.)	
)	District Judge Kim R. Gibson
STEVEN GLUNT, MR. WILT,)	
MR. YOUNG, SHEA, DORETTA)	
CHENCHARICK, DORINA VARNER,)	
And JOHN DOE,)	
)	ECF Nos. 70, 94
Defendants.)	

MEMORANDUM ORDER

Plaintiff commenced the above-captioned case at Civil Action No. 14-112 by filing Motions for Leave to Proceed in Forma Pauperis on May 29, 2014, and June 16, 2014. (ECF Nos. 1 & 3.) Plaintiff's Motion at ECF No. 3 was granted on June 17, 2014 and the Clerk was directed to file the Complaint. (ECF No. 4.) The case was referred to Magistrate Judge Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.C and 72.D of the Local Rules of Court. On November 5, 2015, Attorney Bret Grote entered his appearance on behalf Plaintiff. (ECF No. 77.)

The Magistrate Judge's Report and Recommendation (ECF No. 94) filed on April 22, 2016, recommended that the Motion for Summary Judgment filed by Defendants Steven Glunt, CO Wilt, Mr. Young, Shea, Doretta Chencharick, Dorina Varner, and John Doe (ECF No. 70) be granted, and that only the state law claims be dismissed without prejudice to refiling in state court. Service was made on counsel of record by electronic mail. The parties were informed that in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Local Rule of Court 72.D.2, the parties had fourteen (14) days from the date of service to file

objections to the Report and Recommendation. On May 22, 2016, Plaintiff filed objections.
(ECF No. 97.)

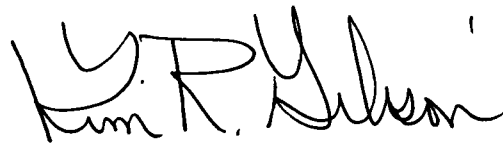
After review of the pleadings, documents in the case, and the Objections, together with the Report and Recommendation, the following Order is entered:

AND NOW, this 31st day of May 2016, it is hereby **ORDERED** that the Motion for Summary Judgment filed by Defendants Steven Glunt, CO Wilt, Mr. Young, Shea, Doretta Chencharick, Dorina Varner, and John Doe (ECF No. 70) is **GRANTED**.

IT IS FURTHER ORDERED that the state law claims only are **DISMISSED WITHOUT PREJUDICE** to refiling in state court.

IT IS FURTHER ORDERED that the Report and Recommendation (ECF No. 94) of Magistrate Judge Lenihan, dated April 22, 2016, is adopted as the Opinion of the Court.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'Kim R. Gibson', written over a horizontal line.

KIM R. GIBSON
United States District Judge

cc: All counsel of record
Via electronic mail